HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No.4597 of 2007

PETITIONER		Suresh Kumar Markam, son of Late Shri Aaytu Ram Markam, aged about 25 years, resident of Village Byalpur, Post Adenga, Tahsil Keshkal, Distt. Bastar (C.G.)
		Versus
RESPONDENTS	1.	State of Chhattisgarh, through the Secretary, Department of Tribal Welfare, Dau Kalyan Singh Bhawan, Raipur (C.G.)
	2.	Asstt. Commissioner, Department of Tribal Development, Jagdalpur, Distt. Bastar (C.G.)
	3.	Block Development Officer, Kondagaon, Block Kondagaon, Distt. Bastar (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Rahul Jha, counsel for the petitioner.

Shri Ajay Dwivedi, Panel Lawyer for the State on advance copy

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ORAL ORDER
(08.08.2007)

SUNIL KUMAR SINHA, J.

Heard finally with the consent of the parties.

Learned counsel for the petitioner submits that the petitioner's father namely Late Aayatu Ram Markam died on 22.11.1995 while he was working as Assistant Teacher in the Tribal Department at Primary School Bakodaguda. After his death, the petitioner had moved an application for compassionate appointment and the same was forwarded vide memo of competent authority to Asstt. Commissioner, Department of Tribal Development, Jagdalpur, Distt. Bastar. His submission is that though the matter is pending before the said authority since long back but no decision has been taken in the

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matter of the petitioner. He refers to the last communication made in the month of January, 2007 by the Block Education Officer, Kondagaon, which is filed as Annexure-P/9.

A perusal of the said memo would show that almost every formality was completed but even after that the decision has not been taken by the competent authority.

Having heard learned counsel for the petitioner, after going through the contents of the writ petition as also the documents annexed with the petition, in the opinion of this Court, ends of justice would be served, if a direction is issued to the competent authority (respondent No.2) to dispose of the application of the petitioner for compassionate appointment, which is pending before him, as stated by learned counsel for the petitioner.

Accordingly, this petition is disposed of with a direction that if the Asstt. Commissioner or any other competent authority has not taken a final decision in the matter of the petition till date, they shall take decision within a period of 3 months from the date of production of certified copy of this order along with copy of writ petition and annexed documents.

With the aforesaid directions/observation, this petiton is finally disposed of at this stage.

Sd/-
Sunil Kumar Sinha
Judge

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